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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/821,400	03/29/2001	Naishin Seki	JP919990315US1(590.048)	3587

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FERENCE & ASSOCIATES
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PITTSBURGH, PA 15143

EXAMINER

OSMAN, RAMY M

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 05/20/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

SK

Office Action Summary

Application No.

09/821,400

Applicant(s)

SEKI ET AL.



Examiner

Ramy M Osman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-19 rejected under 35 U.S.C. 102(e) as being anticipated by Chang et al. (US Patent No 6,134,584).

3. In reference to claims 1 and 6, Chang teaches a web page acquisition system and provider, the system comprising:

a web page acquisition server and a user terminal, both of which are connected to a communication network, wherein said user terminal transmits to said web page acquisition server a web page acquisition request that includes various acquisition conditions; and wherein, in accordance with said acquisition conditions included in said web page acquisition request received from said user terminal, said web page acquisition server acquires a web page source from a web server on said communication network and transmits said web page source to said user terminal (Summary, column 2 lines 20-67, column 6 and column 7 lines 1-25, Chang discloses a destination entity as a proxy server for retrieving web pages and a user system. The

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user requests data and web pages along with specified download preferences from a destination entity. The destination entity retrieves the web data and transmits it to the user.)

4. In reference to claim 2, Chang teaches web page acquisition service system according to claim 1:

wherein, as one of said acquisition conditions included in said web page acquisition request, said user terminal designates a time condition for the acquisition of a web page source (Summary, column 2 lines 20-67 and column 6 lines 1-40, Chang discloses a user specifying and scheduling when to download web data); and

wherein, in accordance with said time condition designated in said web page acquisition request, said web page acquisition server acquires said web page source and transmits said web page source to said user terminal (Summary, column 2 lines 20-67 and column 6 lines 1-40, Chang discloses the destination entity fulfilling the user request).

5. In reference to claims 3 and 4, Chang teaches web page acquisition service system according to claim 2,

wherein said web page acquisition server performs scheduling for the acquisition of a web page source, while taking into account said time condition that is designated in said web page acquisition request and the volume of the communication traffic carried by said communication network (Summary, column 2 lines 20-67 and column 6 lines 1-40, Chang discloses the destination entity fulfilling the user request taking into account the scheduled time and also communication traffic volume. The destination entity acquiring and transmitting the web data to the user).

6. In reference to claim 5, Chang teaches web page acquisition service system according to claim 1,

wherein, when said web page acquisition server receives from a plurality of user terminals a plurality of web page acquisition requests for the same page, said web page acquisition server obtains and archives a corresponding web page source for said plurality of requests, and transmits said web page source to said user terminals that issued said web page acquisition requests (Summary and column 2 lines 20-67, Cheng discloses destination entity as proxy server and a plurality of users requesting same web page, where the proxy stores the page and transmits it to the plurality of the requesting users).

7. In reference to claims 7 and 8, Chang teaches provider according to claim 6, wherein said transmission control unit forms into a library file said web page source that, in accordance with said web page acquisition request, is obtained and held in said web page acquisition/archiving unit, and transmits said library file to said user terminal (Summary, column 2 lines 20-67 and column 6, Cheng discloses proxy storing a web page in a cache which would inherently be a file and transmitting it to a requesting user).

8. In reference to claim 9, Chang teaches provider according to claim 6, wherein said transmission control unit changes a link for said web page source held by said web page acquisition/archiving unit from an absolute link based on the URL of a web page source, into a relative link (Summary, column 2 lines 20-67 and column 6, Cheng discloses proxy storing a web page in a cache which would inherently change the link from an absolute URL to a local/relative link).

9. Claims 10-19 do not teach any new limitations above claims 1-9 and are therefore rejected for the above mentioned reasons.


10. Applicant cannot rely upon the foreign priority papers to overcome this rejection because a translation of said papers has not been made of record in accordance with 37 CFR 1.55. See MPEP § 201.15.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramy M Osman whose telephone number is (703) 305-8050. The examiner can normally be reached on Monday through Friday 9AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 305-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RMO
May 12, 2004


ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

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